IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4914 OF 2007
IN
FIRST APPEAL NO. 2280 OF 2007

Shri Shashikant Ratanchand Banthia ...Applicant
V/s.
Shri Vishal Ramkrishna Sharma & Ors. ...Respondents

Mr.R.V. Pai i/b. Mr.S.M. Kamble for the Applicant.
Mr.V.M. Thorat for the Respondents.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATED : NOVEMBER 28, 2007

P.C. :-

1. This Civil Application is taken out by the original defendant no.1 who is the appellant. The decree is for Specific Performance of Contract to sell the land. Since the appeal has already been admitted, execution of the decree will have to be stayed.

2. The Civil Application is, therefore, granted in terms of prayer clause (a).

3. The learned Counsel for the appellant-defendant no.1 states that during the pendency of this appeal, without seeking leave of the Court, the appellant shall

not transfer, alienate, part with possession or create any party rights in the suit land.

4. Statement is accepted.

5. Civil Application is disposed of.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)